IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 4203 of 2002

For Approval and Signature:

Hon'ble MR.JUSTICE P.B.MAJMUDAR

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1. Whether Reporters of Local Papers may be allowed to see the judgements? : NO

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy of the judgement? : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO

5. Whether it is to be circulated to the Civil Judge? : NO

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DEVANSHI JITENDRABHAI PATEL

Versus

REGIONAL PASSPORT OFFICER

Appearance:

1. Special Civil Application No. 4203 of 2002

MS ARCHANA U AMIN for Petitioner No. 1

MR DN PATEL for Respondent No. 1

CORAM : MR.JUSTICE P.B.MAJMUDAR

Date of decision: 18/04/2002

ORAL JUDGEMENT

#. Rule. Mr.Shah for Mr.Patel waives service of rule for the respondent. With the consent of the parties, the matter is taken up for final hearing today.

#. The petitioner is a passport holder and in her passport, her birth date is mentioned as 29.5.1981 which was posted on the basis of the school leaving certificate submitted by the petitioner at the relevant time. Subsequently, the petitioner realised that, her correct birth date is 14.4.1984 which is as per the extract of Birth and Death Register. Having realised that mistake, the petitioner made the representation to the passport authority for correcting the birth date in the passport which is annexed with this petition at page 11. It has been pointed out by the petitioner that no decision has been taken in connection with this representation.

#. The petitioner also submitted that there is also discrepancy in the name of village where the petitioner was born. The birth place in the original passport is mentioned as Nadiad, while according to the petitioner, her birth place is Sojitra and not Nadiad. Considering the facts and circumstances of the case, the petitioner is directed to submit a detailed representation to the passport authority forthwith with appropriate evidence. The said representation is to be made to the passport authority on or before 24.4.2002. After receiving such representation, the authority may dispose of the same as early as possible without undue delay and appropriate decision may be taken after considering the evidence on record. If the passport authority is satisfied that corrected date of birth and place of birth of the petitioner are required to be posted in the passport, corrected passport may be handed over to the petitioner. Since the petitioner has not taken care earlier by producing cogent material, the petitioner is directed to pay costs of Rs.2000/- (Rupees two thousand only). The said amount of costs is to be deposited with the passport authority at the time of making the representation.

#. In view of what is stated above, this petition is allowed. Rule is made absolute to the aforesaid extent with costs as quantified above. D.S.Permitted.

(P.B.Majmudar,J)
(pathan)